

Panther chief Hilliard jailed

By Francis Furey
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All nationally prominent leaders of the Black Panther party are either dead, behind bars or in exile.

The day before Illinois party leader Fred Hampton was murdered by police in Chicago, party chief of staff David Hilliard, 27, was arrested by Secret Service agents here and charged with threatening the life of President Nixon.

With Hilliard in jail, Raymond Masai Hewitt, party minister of education, has taken over the Panther apparatus as acting national party leader.

In a news conference Dec. 4, Hewitt announced plans for a Panther-led delegation to the United Nations to protest U.S. government oppression of black people.

Panther attorney Charles Garry, in whose office the conference was held, characterized Hilliard's arrest as "part and parcel of a scheme to commit genocide on the Black Panther party."

Linking Hilliard's arrest with Hampton's murder and the imprisonment of Bobby Seale and Huey Newton, the exile of Eldridge Cleaver and the murder, imprisonment and trials of scores of other Panthers, Garry demanded that an

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ad hoc committee of "impartial Congressmen" investigate what he termed "the effort to bring about a fascist police state in this country."

Hilliard was accused of "knowingly and willfully" threatening the President's life during a speech at the mass antiwar protest in San Francisco Nov. 15. The charge carries a maximum penalty of five years in jail and a \$1000 fine.

Hilliard was jailed when he was unable to meet \$30,000 bail set by U.S. district court judge Stanley Weigel.

The indictment against Hilliard, handed down by a secret federal grand jury, accused him of referring to Nixon as "the man that's responsible for all the attacks on the Black Panther party nationally" and stating that "we will kill Richard Nixon."

Referring to the charge at the press conference, movement attorney Terrence Hallinan stated: "While it is true that David said, 'We will kill Richard Nixon,' it was in the context of a sentence that went on to say, 'we will kill any motherfucker that stands in the way of our freedom,' with the emphasis on the 'any'—clearly a political and not a criminal prediction."

Hallinan, a West Coast co-chairman of the New Mobilization Committee to End the War in Vietnam, pledged the Mobe would give "all-out support" to Hilliard. He called President Nixon "an evil man who is attempting to unleash a war of repression in our nation—a war exemplified by the indictment of David Hilliard."

Announcing a public campaign to free Hilliard, Garry predicted the Panther chief of staff would be freed within a week. The party attorney strongly criticized \$30,000 bail as excessively high, calling it ransom money.

Hilliard, who was recently acquitted of a misdemeanor charge of disturbing the peace, still faces assault and attempted murder charges arising out of the April 6, 1968, shootout in which Bobby Hutton was shot dead and Eldridge Cleaver wounded by Oakland police. His first trial on the charges ended in a hung jury. Two other Panthers, Charles Bursey and Warren Wells, are now serving long prison terms on convictions in connection with the case.

As party chief of staff, Hilliard is technically third in command of the national organization. The two ranking officers and founders of the party, Newton and Seale, are presently in jail.

Newton, minister of defense, is serving two to 15 years on a manslaughter conviction involving the death of an Oakland policeman in October 1967. The conviction was much criticized at the time as police admitted that Newton was unarmed. Trial evidence indicated the officer might have been

killed by a bullet from his partner's gun. The case is presently under appeal.

Seale, party chairman, presently in San Francisco City Jail, is fighting extradition to Connecticut on a murder conspiracy charge involving the death of former Panther Alex Rackley (see article below). He also must stand trial again in Chicago on a federal conspiracy charge stemming from the confrontation during the Democratic convention in August 1968. He is serving four years in jail for contempt of court as a result of his first appearance in the Chicago conspiracy trial.

Seale declared two weeks ago that a sheriff had beaten him in jail for refusing to surrender his legal papers. He required medical treatment. Jail officials did not deny the charge. One official commented the use of force was often necessary to "pacify troublesome prisoners."

Since the party's inception in the fall of 1966 in Oakland, party offices throughout the nation—notably Panther headquarters in Chicago—have been the location of armed assaults by police. In one incident in Oakland in September 1968, two allegedly drunk policemen shot up the Panther national headquarters. After a departmental investigation, the two officers were suspended. The national headquarters has since been moved to nearby Berkeley.

According to Attorney Garry, Hampton's death in Chicago was the 28th "legal murder" of a Panther since January 1968.

Hewitt estimates over 300 Panthers are presently in jail. About 50 are being held without bail.

Compounding the party's financial problems as a result of high bail, Hewitt said, vendors of the Black Panther newspaper—which provides much of the party's revenue—"have been systematically harassed by pigs." In one such incident in San Francisco, Dec. 5, a Panther newspaper vendor was arrested and charged with threatening the life of the President. The charges were dropped, but they interrupted sales.

Arrests involving Black Panther party members vary from a Mt. Vernon, N.Y., Panther's arrest for an "unlawful table in front of office" to the murder charges lodged against the New Haven 14.

According to statistics compiled by Panther national headquarters, arrests of members in Los Angeles alone totalled 86 for the first half of this year. Total bail there was \$213,415.

Panther free breakfast programs for school children have been another target of police action. In Philadelphia last week police entered a church where breakfast was being prepared for children and dumped food on the floor. Another police tactic is to arrest a Panther for possession of a stolen vehicle if the party member is unable to produce car registration.